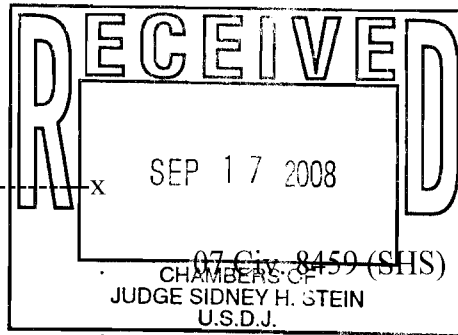


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



SEAN FREEMAN,

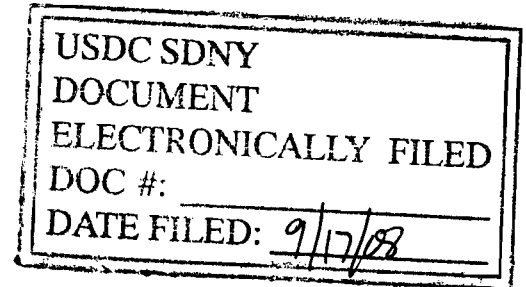
Plaintiff,

-against-

WARDEN SHAW, *ET AL.*,

Defendants.

ORDER



SIDNEY H. STEIN, U.S. District Judge.

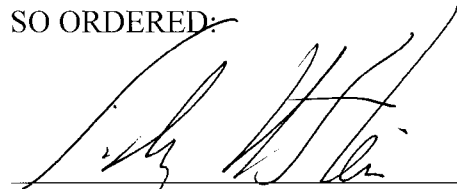
On August 21, 2008, Magistrate Judge Kevin N. Fox issued a Report and Recommendation recommending that this action be dismissed pursuant to Fed. R. Civ. P. 4(m) and 41(b), for plaintiff's failure to prosecute and for his failure to comply with an Order of the Court. As of today, no objections have been filed by plaintiff.

After a *de novo* review of the Report and Recommendation, the Court adopts the recommendation of Magistrate Judge Fox. Accordingly,

IT IS HEREBY ORDERED that this action is dismissed for failure to prosecute and for failure to comply with an Order of the Court, pursuant to Fed. R. Civ. P. 4(m) and 41(b).

Dated: New York, New York
September 16, 2008

SO ORDERED:



Sidney H. Stein, U.S.D.J.